

Mayor
Rita Dotson

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

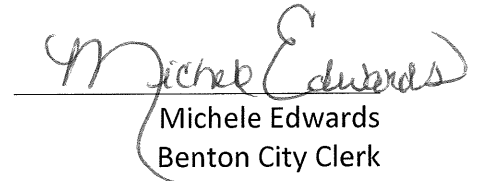
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

Resolution to the City of Benton Number 15-08-01

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of the Resolution Number 15-08-01 is a true, correct and complete copy, duly adopted by the City Council at a convened meeting held on August 24, 2015, all as appears in the official records of the said City of Benton, Kentucky.

WITNESS my hand and the Seal of the City of Benton, this the 25th day
of August, 2015.


Michele Edwards
Benton City Clerk

SEAL

RECEIVED AND FILED
DATE Sept. 9, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Adams

RESOLUTION NO. 15-08-01

A RESOLUTION CORRECTING AN ORIGINAL KRS 81.045 FILING AND ADOPTING A MODERN LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE

WHEREAS, the City of Benton, Kentucky, (hereafter the "City"), on April 16, 1981, submitted a boundary statement and other information in compliance with KRS 81.045; and,

WHEREAS, an area annexed by Ordinance dated February 1, 1960, did not include in the KRS 81.045 boundary statement a complete and accurate description of the property annexed when the KRS 81.045 filing was submitted to the Secretary of State's Office in 1981; and,

WHEREAS, the Ordinance dated February 1, 1960, was not overturned in court or in an election process; and,

WHEREAS, the City further wishes to provide a modern legal description and annexation plat for the purposes of showing the location of the prior February 1, 1960, annexation, same having been prepared by a professional land surveyor for the purposes stated therein; and,

WHEREAS, the City wishes to correct its KRS 81.045 filing and comply with the requirements of Amended KRS 81A.470, effective July 13, 2004, and

WHEREAS, with respect to the Ordinance dated February 1, 1960, the City does not intend to replace its prior ordinance annexation, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern legal description of territory previously annexed; and,

WHEREAS, the City wishes to add the modern legal description of the territory previously annexed to its KRS 81.045 filing, thereby correcting same,


NOW THEREFORE, be it resolved by the City of Benton, Kentucky (the "City") as follows:

1. The City adopts the following legal description and plat attached hereto as prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219 for the purposes stated therein, as a modern description of the property previously annexed into the corporate city limits of the City by Ordinance dated February 1, 1960, a certified copy of which is attached hereto as Exhibit C, and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.

2. The new legal description as prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219 for the purposes stated therein, is attached as Exhibit A and the Annexation Plat is attached as Exhibit B.

3. This resolution and the attached documents shall be filed with the Office of the Secretary of State to correct the City's KRS 81.045 filing.

Adopted unanimously upon proper motion, seconded and vote on this 21st day of August, 2015.



RITA DOTSON, Mayor
City of Benton, Kentucky

ATTEST



MICHELE EDWARDS, Clerk
City of Benton, Kentucky

EXHIBIT A

A parcel of land, a portion of which is known as the Haltom Subdivision as shown on Slides 187, 527 and D-307 of the records of the Marshall County Court clerk, lying on the east side of the US Highway 641 (Main Street) as Annexed by Ordinance February 1, 1960 and being more particularly described as follows:

Beginning at a point in the northwest corner of the Haltom Subdivision, said point being located 192.60 feet more or less from the center of US Highway 641, said point having Kentucky state Plane South Zone coordinates of North 1,835,841.38 and East 879,873.48;

Thence, from the point of beginning, along the north boundary of the Haltom Subdivision South 84° 38' 30" East a distance of 1,673.68 feet to a point;

Thence, along the east boundary of Haltom Subdivision, South 1° 19' 37" West a distance of 1,130.43 feet to an existing iron pin PLS#1982;

Thence, along the south boundary of Haltom Subdivision and the Goheen Girls Estates, North 82° 46' 02" West a distance of 1822.04 feet to a ¾" pipe;

Thence, North 8° 09' 12" East a distance of 315.73 feet to a ½" rebar;

Thence, South 83° 10' 01" East a distance of 217.10 feet to a ½" rebar;

Thence, North 8° 35' 50" East a distance of 398.96 feet to a ½" rebar;

Thence, South 86° 30' 10" West a distance of 410.42 feet to a ¾" pipe in the east right of way of US Highway 641;

Thence, along the said right of way, North 13° 20' 16" East a distance of 279.99 feet to a concrete monument;

Thence, leaving said right of way, South 83° 42' 38" East a distance of 174.67 feet to a point;

Thence, North 7° 16' 02" East a distance of 148.76 feet to the point of beginning.

The above described parcel contains 43.285 acres more or less.

As shown on a plat labeled "Resolution Plat Depicting Original Ordinance Dated February 1, 1960" on Drawing E-1 as prepared by Shawnee Professional Services dated July 31, 2015.

All bearings and coordinates referred to in this description are based on the Kentucky State Plane South Zone coordinate system as derived from GPS observations performed on July 27, 2015.

**Annexation to the City of Benton, Marshall County, Kentucky
Of February 1, 1960
Haltom Subdivision, Civil Court Action No. 885
2015 Resolution Description**

A parcel of land, a portion of which is known as the Haltom Subdivision as shown on Slides 186, 527 and D-307 of the records of the Marshall County Court Clerk, lying on the east side of the US Highway 641 (Main Street) as Annexed by Ordinance February 1, 1960 and being more particularly described as follows:

Beginning at a point in the northwest corner of the Haltom Subdivision, said point being located 192.60 feet more or less from the center of US Highway 641, said point having Kentucky State Plane South Zone coordinates of North 1,835,841.38 and East 879,873.48;

Thence, from the point of beginning, along the north boundary of the Haltom Subdivision South 84° 38' 30" East a distance of 1,673.68 feet to a point;

Thence, along the east boundary of Haltom Subdivision, South 1° 19' 37" West a distance of 1,130.43 feet to an existing iron pin PLS#1982;

Thence, along the south boundary of Haltom Subdivision and the Goheen Girls Estates, North 82° 46' 02" West a distance of 1822.04 feet to a ¾" pipe;

Thence, North 8° 09' 12" East a distance of 315.73 feet to a ½" rebar;

Thence, South 83° 10' 06" East a distance of 217.10 feet to a ½" rebar;

Thence, North 8° 35' 50" East a distance of 398.96 feet to a ½" rebar;

Thence, South 86° 30' 10" West a distance of 410.42 feet to a ¾" pipe in the east right of way of US Highway 641;

Thence, along the said right of way, North 13° 20' 16" East a distance of 279.99 feet to a concrete monument;

Thence, leaving said right of way, South 83° 42' 38" East a distance of 174.67 feet to a point;

Thence, North 7° 16' 02" East a distance of 148.76 feet to the point of beginning.

The above described parcel contains 43.285 acres more or less.

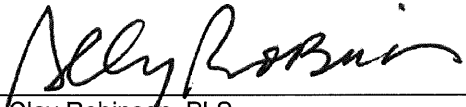
As shown on a plat labeled "Resolution Plat Depicting Original Ordinance Dated February 1, 1960" on Drawing E-1 as prepared by Shawnee Professional Services dated July 31, 2015.

All bearings and coordinates referred to in this description are based on the Kentucky State Plane South Zone coordinate system as derived from GPS observations performed on July 27, 2015.

Note: the purpose of this description is to provide information for the annexation of the 43.295 acres described to the City of Benton, Kentucky. This description or plat does not represent a boundary survey and is not intended for land transfer or to establish ownership lines or a property boundary.

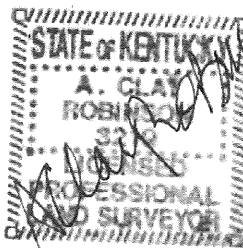
Prepared by and in accordance with a partial survey performed under the supervision of:

A. Clay Robinson
Ky. Licensed Prof. Surveyor 3219
Shawnee Professional Services
401 Washington Street
Paducah, Ky. 42001


A Clay Robinson, PLS

7-31-15

Date



STAMP

Case 5 Haltom Feb 1 1960.doc
A Clay Robinson
July 31, 2015

OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.